

## **TEMPORARY AGRICULTURAL LABOR REFORM ACT OF 2005**

- Reforms the temporary visa program (known as H-2A) that permits foreign workers to enter the U.S. for the purpose of engaging in temporary or seasonal unskilled agricultural work.
- Does not provide amnesty for those workers who are in the country illegally.
- Gives agricultural employers a more functional and streamlined program by simplifying the application process, while requiring employers to first actively recruit U.S. workers.
- Requires workers who are currently in the country illegally to return to their home countries before they can apply to participate in the H-2A program.
- Simplifies the labor certification process by allowing employers to attest to their need for workers, eliminating the lengthy application process. However, if an employer misrepresents a need for foreign workers, then that employer will be disqualified from the program.
- Eliminates the artificially high Adverse Effect Wage Rate and replaces it with a prevailing wage standard.
- Removes incentives for illegal entry and frees up enforcement assets to strengthen border security.